

Deposition of Drew Robins

Royal Sleep Products, Inc. vs. Restonic Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

ROYAL SLEEP PRODUCTS, INC.

a Florida Corporation,

Case No: 1:07 CV 6588

Plaintiff.

V.

RESTONIC CORPORATION,

an Illinois Corporation,

RESTONIC MATTRESS CORPORATION,

an Illinois Corporation,

SLEEP ALLIANCE, LLC,

a Delaware Limited Liability Company,

ROYAL BEDDING COMPANY OF BUFFALO,

a New York Corporation,

JACKSON MATTRESS CO., LLC,

a North Carolina Limited Liability Company,

CONTINENTAL SILVERLINE PRODUCTS, L.P.,

a Texas Limited Partnership,

STEVENS MATTRESS MANUFACTURING CO.,

a North Dakota Corporation,

TOM COMER, JR., an individual,

DREW ROBINS, an individual, and

RICHARD STEVENS, an Individual,

Defendants.

CERTIFIED COPY

FILED

SEPTEMBER 5, 2008

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

ORAL DEPOSITION OF

DREW ROBINS

MAY 29, 2008

EXHIBIT

"A"

1 line, including your attorney, when I refer,
2 Mr. Robins, to yourself, when I say "you" or -- I'm
3 referring to both you and to Continental Silverline.
4 If you need to make a distinction between you or
5 Continental Silverline, I'd appreciate that as well.
6 Okay?

7 A. Yes.

8 Q. Mr. Robins, have you ever maintained a bank
9 account in the state of Illinois?

10 A. No.

11 Q. And, sir, have you ever maintained an office
12 in the state of Illinois for your mattress business?

13 A. No.

14 Q. Have you ever employed any individual who was
15 a resident of the State of Illinois?

16 A. No.

17 Q. All right, sir. Are you familiar with an
18 individual by the name of Debbie Gory?

19 A. Yes.

20 Q. And who is Ms. Gory?

21 A. She was a -- previously a employee of
22 Restonic Mattress Corporation and...

23 Q. Go ahead. I'm sorry.

24 A. She was previously an employee of Restonic
25 Mattress Corporation.

1 Q. Okay. Was Ms. Gory ever employed by
2 Continental Silverline or yourself in any capacity?

3 A. We had Ms. Gory, the best of my recollection,
4 as a contract employee to help with an installation of
5 a computer software program.

6 Q. And, sir, do you know how long Ms. Gory acted
7 as this contract employee?

8 A. About a year.

9 Q. All right. And do you know what period of
10 time that was, meaning when? Was it recently? Was it
11 five years ago?

12 A. It was from about two years -- about a year
13 and a half ago to about six months ago.

14 Q. All right. And did she resign or her task
15 was simply completed?

16 A. Her task was completed.

17 Q. And do you recall how Ms. Gory was paid? Was
18 she paid as an independent contractor, given a 1099;
19 or was she paid as an employee and issued a W-2?

20 A. I believe she was paid with a 1099, but I'm
21 not entirely certain.

22 Q. Okay. And irrespective of how she was paid,
23 be it a W-2 or a 1099, it's your understanding that
24 Continental Silverline, the defendant in this case,
25 paid her for her contract work; is that right?

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1 A. Yes.

2 Q. And do you know where Ms. Gory lives, what
3 her resident state is?

4 A. I believe it's Illinois.

5 Q. Other than Ms. Gory, are you aware of any
6 other employee or independent contractor that you or
7 Continental Silverline employ, for whatever purpose,
8 who lives in the state of Illinois?

9 A. No.

10 Q. Hold on one second. I just need to get some
11 exhibits.

12 MR. SALKOWSKI: I'm going to be
13 introducing Exhibits Nos. 3, 4, 7, 8, 9 and 28. If
14 either the court reporter or Mr. Friedberg could
15 provide those exhibits to Mr. Robins, I'd appreciate
16 it.

17 MR. FRIEDBERG: And, actually, Robert,
18 if you would do us a favor, since we only have the one
19 copy that we received, really just moments before the
20 deposition, if you could also refer by the opening
21 Bates label for each of those.

22 MR. SALKOWSKI: Sure. I'll do that.

23 MR. FRIEDBERG: You know, when you refer
24 to them. That way, I can flip to my copy, please.

25 MR. SALKOWSKI: That's fine.

Deposition of Brent Ford

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1 UNITED STATES DISTRICT COURT
 2 NORTHERN DISTRICT OF ILLINOIS

3 ROYAL SLEEP PRODUCTS, INC.)
 4 a Florida Corporation,)
 5 Plaintiff,)
 6 vs.) Case No. 1:07 CV 6588

7 RESTONIC CORPORATION, an)
 8 Illinois Corporation,)
 9 RESTONIC MATTRESS CORPORATION)
 10 an Illinois Corporation,)
 11 SLEEP ALLIANCE, LLC, a)
 12 Delaware Limited Liability)
 13 Company, ROYAL BEDDING)
 14 COMPANY OF BUFFALO, a New)
 15 York Corporation, JACKSON)
 16 MATTRESS CO., LLC, a North)
 17 Carolina Limited Liability)
 18 Company, CONTINENTAL)
 19 SILVERLINE PRODUCTS, L.P., a)
 20 Texas Limited Partnership,)
 21 STEVENS MATTRESS MANUFACTUR-)
 22 ING CO., a North Dakota)
 23 Corporation, TOM COMER, JR.,)
 24 an individual, DREW ROBINS,)
 25 an individual, and RICHARD)
 STEVENS, an individual,)
 Defendants.)

CERTIFIED COPY

19 *****
 20 ORAL TELEPHONIC DEPOSITION OF
 21 BRENT FORD
 22 JULY 2, 2008
 23 *****



23 THE ORAL DEPOSITION OF BRENT FORD, produced
 24 as a witness at the instance of the Plaintiff, and duly
 25 sworn, was taken in the above-styled and -numbered cause

Deposition of Brent Ford

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11 :21 1 other reasons why you would travel to Illinois on behalf
11 :21 2 of Continental Silverline?

11 :21 3 A. Except for that one time I told you, you
11 :21 4 know, six or seven years ago, sir, for a seminar, that
11 :22 5 would be one occasion. The only other occasion would be
11 :22 6 -- would be for pleasure, which is what you've not
11 :22 7 listed.

11 :22 8 Q. Okay. And to your knowledge, does
11 :22 9 Continental Silverline have any offices in Illinois?

11 :22 10 A. No, sir.

11 :22 11 Q. Do you know if they have any employees in
11 :22 12 Illinois?

11 :22 13 A. We had one employee, Deb Gory, that did
11 :22 14 contract stuff for us when we were installing a new
11 :22 15 computer system about a year ago; that worked for us
11 :22 16 for, I want to say, nine or ten months. I'm not sure if
11 :22 17 she was considered an employee or not, sir. I know she
11 :22 18 -- she was living there or was going to move there or
11 :22 19 something. I wasn't sure of her arrangements, but I
11 :22 20 knew she was from Illinois.

11 :22 21 Q. Now, sir -- Mister -- Mr. Ford, how did you
11 :22 22 prepare for today's deposition?

11 :23 23 A. I'm sure -- I'm not sure what your question
11 :23 24 is, sir.

11 :23 25 Q. Did you review any deposition transcripts?

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11 :29 1 A. She no longer works for us.

11 :29 2 Q. Do you know when she stopped working for

11 :29 3 Continental Silverline?

11 :29 4 A. About seven months ago.

11 :29 5 Q. Okay. Thanks. I've got no more questions.

6 EXAMINATION

7 BY MR. SALKOWSKI:

11 :29 8 Q. Mr. Ford, just one brief question. What was
11 :29 9 Ms. Gory's role? What type of work did she do on behalf
11 :29 10 of Continental Silverline?

11 :29 11 A. She helped us implement a new computer
11 :29 12 system.

11 :29 13 Q. And was that just for Continental
11 :29 14 Silverline, or was it for other licensees for Restonic?

11 :29 15 A. No. It was just for us, sir.

11 :30 16 Q. All right, sir. Thank you very much.

11 :30 17 A. Yes, sir.

18 (Deposition concluded at 3:30 p.m.)

19 MR. FRIEDBERG: Before we all hang up, I
20 just want to make sure, do we need to advise Gwen of our
21 orders for transcripts and such, or...?

22 MR. SALKOWSKI: Yeah. And, Gwen, this is
23 Robert Salkowski. We're going to need the transcript
24 and a mini.

25 THE COURT REPORTER: Okay.